GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:2538
ANSWERED ON:09.12.2005
NATIONAL AND STATE RURAL EMPLOYMENT GUARANTEE SCHEMES
Gaikwad Shri Eknath Mahadeo;Mane Smt. Nivedita

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether State Government of Maharashtra has been operating Employment Guarantee scheme for a number of years;

(b) if so, whether the Central National Rural Employment Guarantee Act is overlapping the State Employment Guarantee Scheme;

(c) if so, the nature of anomaly between the two and the repercussions thereof, and

(d) the manner in which the Government proposes to resolve to end this anomaly?

Answer

MINSTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRIMATI SURYAKANTA PATIL)

(a): Yes, Sir

(b) & (c): National Rural Employment Guarantee Act and the Maharashtra Employment Guarantee Act are two different legislations. Maharashtra Employment Guarantee Act is applicable to the rural areas of the State whereas National Rural Guarantee Act is applicable to the rural areas of the country except Jammu and Kashmir. Both the Acts have some common features such as, providing guaranteed employment to unskilled manual worker and payment of unemployment allowance to the applicant subject to provisions of the Acts. The type of work that can be taken up under these two Acts have some similar and non-similar characteristics.

(d): Section-28 of the National Rural Employment Guarantee Act provides as under:
`The provisions of this Act (i.e. National Rural Employment Guarantee Act) or the Schemes made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of such law;

Provided that where a State enactment exists or is enacted to provide employment guarantee for unskilled manual work to rural households consistent with the provisions of this Act under which the entitlement of the households is not less than and the conditions of employment are not inferior to what is guaranteed under this Act, the State Government shall have the option of implementing its own enactment;

Provided further that in such cases the financial assistance shall be paid to the concerned State Government in such manner as shall be determined by the Central Government, which shall not exceed what the State would have been entitled to receive under this Act had a Scheme made under this Act had to be implemented.`

The Government of Maharashtra may take a decision in this regard.